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Attn: Mail Stop Amendment

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<u>Of Counsel</u> Edward J. Kessler Kenneth C. Bass III Marvin C. Guthrie

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September 12, 2006

WRITER'S DIRECT NUMBER: (202) 772-8822 INTERNET ADDRESS: SCARROLL@SKGF.COM

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Re:

U.S. Utility Patent Application

Application No. 10/587,714; (National Phase of PCT/US2005/002535)

Int'l. Filing Date: January 28, 2005

For: Treatment of Conditions Involving Dopaminergic Neuronal

**Degeneration Using Nogo Receptor Antagonists** 

Inventors: Relton et al.

Our Ref:

2159.0450001/EJH/SAC

Sir:

Transmitted herewith for appropriate action are the following documents:

- 1. Information Disclosure Statement Under 37 C.F.R. § 1.97(b);
- 2. Listing of the cited documents on Form PTO/SB/08A (2 sheets);
- 3. A copy of sixteen (16) cited documents on Form PTO/SB/08A;
- 4. A listing of the cited documents on Form PTO/SB/08B (3 sheets);
- 5. A copy of twenty-five (25) cited documents on Form PTO/SB/08B;
- 6. First Supplemental Information Disclosure Statement Under 37 C.F.R. § 1.97(b);
- 7. A listing of the cited documents on Form PTO/SB/08A (1 sheet);
- 8. A listing of the cited documents on Form PTO/SB/08B (2 sheets);
- 9. A copy of the eleven (11) cited documents on Form PTO/SB/08B;
- 10. Second Supplemental Information Disclosure Statement Under 37 C.F.R. § 1.97(b);

Commissioner for Patents September 12, 2006 Page 2

- 11. A listing of the cited documents on Form PTO/SB/08A (1 sheet);
- 12. A listing of the cited documents on Form PTO/SB/08B (1 sheet);
- 13. A copy of the three (3) cited documents on Form PTO/SB/08B; and
- 14. Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Shannon A. Carroll, Ph.D.

Attorney for Applicants Registration No. 58,240

SAC/rjv Enclosures

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#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Relton et al.

Appl. No.: 10/587,714 (National Phase of

PCT/US2005/002535)

Intl Filing Date: January 28, 2005

For: Treatment of Conditions Involving

**Dopaminergic Neuronal** 

**Degeneration Using Nogo Receptor** 

Antagonists

Confirmation No.: 2306

Art Unit: To be assigned

Examiner: To be assigned

Atty. Docket: 2159.0450001/EJH/SAC

## Information Disclosure Statement Under 37 C.F.R. § 1.97(b)

Mail Stop Amendment

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Sir:

Listed on accompanying Forms PTO/SB/08A and PTO/SB/08B are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Copies of documents FP1-FP16 and NPL1-NPL25 are submitted. However, in accordance with 37 C.F.R. § 1.98(a)(2), copies of U.S. patents and patent application publications, documents US1-US22, cited on the attached Form PTO/SB/08A are not submitted.

In accordance with 37 C.F.R. § 1.98(a)(3), Applicants' undersigned representative submits the following discussion of the relevance of the non-English language document **FP10** cited on Form PTO/SB/08A:

Document **FP10**, WO 93/01288 A1, is in a foreign language. The relevance of document **FP10** may be found in the English language abstract included on the face page of said document.

The Examiner's attention is directed to the following U.S. Patent Applications and PCT Patent Applications, which are directed to related technical subject matter:

- U.S. Patent Application No. 09/758,140 inventor Strittmatter S.M., filed January 12, 2001; published as US 2002/0012965 A1, cited herein as document US19;
- U.S. Patent Application No. 09/972,599, inventor Strittmatter S.M., filed October 6, 2001; published as US2002/0077295 A1, cited herein as document US20;
- U.S. Patent Application No. 09/972,546, inventors Strittmatter *et al.*, filed October 6, 2001; published as US2003/0124704 A1, cited herein as document US21;
- U.S. Patent Application No. 10/735,256, inventors Strittmatter *et al.*, filed December 12, 2003; published as US2005/0048520 A1, cited herein as document US22;

PCT Patent Application No. PCT/US01/01041, applicant Yale University, filed January 12, 2001, published as WO 01/51520 A2, cited herein as document **FP11**;

PCT Patent Application No. PCT/US01/31488, applicants Yale University and Biogen, Inc., filed October 06, 2001, published as WO 02/29059 A2, cited herein as document FP12;

PCT Patent Application No. PCT/US02/32007, applicant Yale University, filed October 04, 2002, published as WO 03/031462 A2, cited herein as document FP13;

PCT Patent Application No. PCT/US2003/025004, applicant Yale University and Biogen, Inc., filed August 07, 2003, published as WO 04/014311 A2, cited herein as document FP14;

PCT Patent Application No. PCT/US2004/011728, applicants and inventors Strittmatter *et al.*, filed April 16, 2004, published as WO 04/093893 A2, cited herein as document **FP15**; and

PCT Patent Application No. PCT/US04/002702, applicants and inventors Lee *et al.*, filed January 30, 2004, published as WO 05/016955 A2, cited herein as document **FP16**.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached IDS Forms based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

This Information Disclosure Statement is being filed within three months of the date of filing. No statement or fee is required.

It is respectfully requested that the Examiner initial and return copies of the enclosed IDS Forms, and indicate in the official file wrapper of this patent application that the documents have been considered.

- 4 -

Relton et al. Appl. No. 10/587,714 (National Phase of PCT/US2005/002535)

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Shannon A. Carroll,

Attorney for Applicants Registration No. 58,240

Date:

1100 New York Avenue, N.W. Washington, D.C. 20005-3934 (202) 371-2600

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Complete if Known 10/587,714 (Natl. Phase of Application Number PCT/US2005/002535) INFORMATION DISCLOSURE Intl. Filing Date January 28, 2005 STATEMENT BY APPLICANT Relton, Jane K. First Named Inventor (Use as many sheets as necessary) Art Unit To be assigned **Examiner Name** To be assigned Sheet 1 of 2 Attorney Docket Number 2159.0450001/EJH/SAC

	U.S. PATENT DOCUMENTS							
Examiner Cite Initials No.1		Document Number  Number-Kind Code <sup>2 (If Known)</sup>	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document				
	USI	3,817,837	06/18/1974	Rubenstein et al.				
	US2	3,850,752	11/26/1974	Schuurs et al.				
	US3	3,939,350	02/17/1976	Kronick et al.				
	US4	3,996,345	12/07/1976	Ullman et al.				
	US5	4,275,149	06/23/1981	Litman et al.				
	US6	4,277,437	07/07/1981	Maggio				
	US7	4,366,241	12/28/1982	Tom et al.				
	US8	4,399,216	08/16/1983	Axel et al.				
	US9	4,510,245	04/09/1985	Cousens et al.				
	US10	4,634,665	01/06/1987	Axel et al.				
	US11	4,816,567	03/28/1989	Cabilly et al.				
	US12	4,968,615	11/06/1990	Koszinowski et al.				
	US13	5,168,062	12/01/1992	Stinski				
	US14	5,179,017	01/12/1993	Axel et al.				
	US15	5,223,409	06/29/1993	Ladner et al.				
	US16	5,877,293	03/02/1999	Adair et al.				
	US17	5,886,152	03/23/1999	Nakatani et al.				
*	US18	6,054,297	04/25/2000	Carter et al.				
	US19	US2002/0012965 A1	01/31/2002	Strittmatter				
	US20	US2002/0077295 A1	06/20/2002	Strittmatter				

			FOREIGN PATENT DOCUM	MENTS
Examiner Cite Foreign Patent Document		Publication Date	Name of Patentee or	
Initials*	No.1	Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)	MM-DD-YYYY	Applicant of Cited Document
	FP1	EP 0 216 846 B1	01/10/1990	CellTech Limited
	FP2	EP 0 256 055 B1	08/28/1991	CellTech Limited
	FP3	EP 0 323 997 B1	04/21/1993	CellTech Limited
	FP4	WO 91/17271 A1	11/14/1991	Affymax Technologies N.V.
	FP5	WO 92/01047 A1	01/23/1992	Cambridge Antibody Technology Limited
	FP6	WO 92/09690 A2	06/11/1992	Genentech, Inc.
	FP7	WO 92/15679 A1	09/17/1992	Protein Engineering Corporation
	FP8	WO 92/18619 A1	10/29/1992	The Scripps Research Institute
	FP9	WO 92/20791 A1	11/26/1992	Cambridge Antibody Technology Limited
	FP10	WO 93/01288 A1	01/21/1993	Deutsches Krebsforschungszentrum
	FFIO	WO 93/01288 A1	01/21/1993	Stiftung Des Öffentlichen Rechts
	FP11	WO 01/51520 A2	07/19/2001	Yale University
	FP12	WO 02/29059 A2	04/11/2002	Yale University; Biogen, Inc.

Examiner	Date	
Signature	Considered	_

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 'Applicant's unique citation designation number (optional). 'See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 'Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 'For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the senal number of the patent document. 'Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 'Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449/PTO				Complete if Known				
					Application Number			10/587,714 (Natl. Phase of
INFO	RMAT	ION I	DISCLOSURE		Intl. Filing I			PCT/US2005/002535)
!	STATEMENT BY APPLICANT					Inventor		January 28, 2005 Relton, Jane K.
						inventor		To be assigned
	(ese as many sheers as necessary)				Art Unit Examiner N	ame		To be assigned  To be assigned
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Examiner	Cite		ocument Number		lication Date	MIENIS	Nam	e of Patentee or
lnitials*	No.1		ber-Kind Code <sup>2 (If Known)</sup>	MM	I-DD-YYYY			icant of Cited Document
	US21		03/0124704 A1	07/	03/2003		Strit	ttmatter et al.
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Initials*	No.1	Country	Code <sup>3</sup> Number <sup>4</sup>		-DD-YYYY			icant of Cited Document
	FP13		de <sup>5</sup> (if known) 03/031462 A2	04/	17/2003		Val	e University
	FP14		04/014311 A2		19/2004			e University; Biogen, Inc.
	FP14 FP15		04/093893 A2		04/2004			ttmatter et al.
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English language Translation is attached.

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PTO/SB/08B (08-03)

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Substitute for form 1449/PTO	TOTA TRADENT	Con	nplete if Known
NYEODIA A TVON DYGO		Application Number	10/587,714 (Natl. Phase of PCT/US2005/002535)
INFORMATION DISC		Intl. Filing Date	January 28, 2005
STATEMENT BY APP	-	First Named Inventor	Relton, Jane K.
(Use as many sheets as	necessary)	Art Unit	To be assigned
		Examiner Name	To be assigned
Sheet 1 of	3	Attorney Docket Number	2159.0450001/EJH/SAC

	<u></u>	NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume number, publisher, city and/or country where published	T <sup>2</sup>		
	NPL1	Basso, D.M., et al., "MASCIS Evaluation of Open Field Locomotor Scores: Effects of Experience and Teamwork on Reliability," J. Neurotrauma 13:343-359, Mary Ann Liebert, Inc. (1996)			
	NPL2	Brittis, P.A. and Flanagan, J.G., "Nogo Domains and a Nogo Receptor: Implications for Axon Regeneration," <i>Neuron 30</i> :11-14, Cell Press (April 2001)			
·	NPL3	Chen, M.S., et al., "Nogo-A is a myelin-associated neurite outgrowth inhibitor and an antigen for monoclonal antibody IN-1," Nature 403:434-439, Macmillan Magazines Ltd. (2000)			
	NPL4	Domeniconi, M., et al., "Myelin-Associated Glycoprotein Interacts with the Nogo66 Receptor to Inhibit Neurite Outgrowth," Neuron 35:283-290, Cell Press (July 2002)			
	NPL5	Fournier, A.E., et al., "Identification of a receptor mediating Nogo-66 inhibition of axonal regeneration," Nature 409:341-346, Macmillan Magazines Ltd. (January 2001)			
	NPL6	Fournier, A.E., et al., "Truncated Soluble Nogo Receptor Binds Nogo-66 and Blocks Inhibition of Axon Growth by Myelin," J. Neurosci. 22:8876-8883, Society of Neuroscience with the assistance of Stanford University's HighWire Press <sup>TM</sup> (October 2002)			
	NPL7	Grandpré, T., et al., "Identification of the Nogo inhibitor of axon regeneration as a Reticulon protein," Nature 403:439-444, Macmillan Magazines Ltd. (2000)			
	NPL8	Grandpré, T., et al., "Nogo-66 receptor antagonist peptide promotes axonal regeneration,"  Nature 417:547-551, Nature Publishing Group (May 2002)			
	NPL9	Grimpe, B., et al., "The Critical Role of Basement Membrane-Independent Laminin γ1 Chain during Axon Regeneration in the CNS," J. Neurosci. 22:3144-3160, Society for Neuroscience with the assistance of Stanford University's HighWire Press <sup>TM</sup> (April 2002)			
	NPL10	Jones, L.L., et al., "NG2 Is a Major Chondroitin Sulfate Proteoglycan Produced after Spinal Cord Injury and Is Expressed by Macrophages and Oligodendrocyte Progenitors," J. Neurosci. 22:2792-2803, Society for Neuroscience with the assistance of Stanford University's HighWire Press <sup>TM</sup> (April 2002)			
Examiner Signature		Date Considered			

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Substitute for	form 1449/PT0	)		Co	Complete if Known		
******	f . mr o	<b>.</b>		Application Number	10/587,714 (Natl. Phase of PCT/US2005/002535)		
			CLOSURE	Intl. Filing Date	January 28, 2005		
			PLICANT	First Named Inventor	Relton, Jane K.		
	(Use as many s	sheets a	s necessary)	Art Unit	To be assigned		
		Examiner Name	To be assigned				
Sheet	2	of	3	Attorney Docket Number	2159.0450001/EJH/SAC		

		NON PATENT LITERATURE DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume number, publisher, city and/or country where published	T <sup>2</sup>				
	NPL11	Li, M., et al, "Functional Role and Therapeutic Implications of Neuronal Caspase-1 and - 3 in a Mouse Model of Traumatic Spinal Cord Injury," <i>Neurosci.</i> 99:333-342, Elsevier Science Ltd. (2000)					
	NPL12	Li, S. and Strittmatter, S.M., "Delayed Systemic Nogo-66 Receptor Antagonist Promotes Recovery from Spinal Cord Injury," <i>J. Neurosci.</i> 23:4219-4227, Society for Neuroscience with the assistance of Stanford University's HighWire Press <sup>TM</sup> (May 2003)					
	NPL13	Liu, B.P., et al., "Myelin-Associated Glycoprotein as a Functional Ligand for the Nogo-66 Receptor," Science 297:1190-1193, American Association for the Advancement of Science (published online June 27, 2002)					
	NPL14	Liu, Y., et al., "Transplants of Fibroblasts Genetically Modified to Express BDNF Promote Regeneration of Adult Rat Rubrospinal Axons and Recovery of Forelimb Function," J. Neurosci. 19:4370-4387, Society for Neuroscience with the assistance of Stanford University's HighWire Press <sup>TM</sup> (1999)					
	NPL15	McKerracher, L., et al., "Identification of Myelin-Associated Glycoprotein as a Major Myelin-Derived Inhibitor of Neurite Growth," Neuron 13:805-811, Cell Press (1994)					
	NPL16	Metz, G.A.S., et al., "Efficient testing of motor function in spinal cord injured rats," Brain Res. 883:165-177, Elsevier Science B.V. (2000)					
	NPL17	Mikol, D.D. and Stefansson, K., "A Phosphatidylinositol-linked Peanut Agglutinin-binding Glycoprotein in Central Nervous System Myelin and on Oligodendrocytes," J. Cell. Biol. 106:1273-1279, The Rockefeller University Press (1988)					
	NPL18	Mukhopadhyay, G., et al., "A Novel Role for Myelin-Associated Glycoprotein as an Inhibitor of Axonal Regeneration," Neuron 13:757-767, Cell Press (1994)					
	NPL19	Noël, D., et al., "High In Vivo Production of a Model Monoclonal Antibody on Adenoviral Gene Transfer," Human Gene Therapy 13:1483-1493, Mary Ann Liebert, Inc. (August 2002)					
	Ramon-Cueto, A., et al., "Functional Recovery of Paraplegic Rats and Motor Axon Regeneration in Their Spinal Cords by Olfactory Ensheathing Glia," Neuron 25:425-435, Cell Press (2000)						
Examiner Signature		Date Considered					

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Substitute for for	m 1449/PT	0		Со	Complete if Known		
IN FORM	TION.	DIC		Application Number	10/587,714 (Natl. Phase of PCT/US2005/002535)		
			CLOSURE	Intl. Filing Date	January 28, 2005		
STATEME				First Named Inventor	Relton, Jane K.		
(U.	se as many .	sheets a	s necessary)	Art Unit	To be assigned		
				Examiner Name	To be assigned		
Sheet	3	of	3	Attorney Docket Number	2159.0450001/EJH/SAC		

	NON PATENT LITERATURE DOCUMENTS	
Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume number, publisher, city and/or country where published	T <sup>2</sup>
NPL21	Rutishauser, U. and Jessell, T.M., "Cell Adhesion Molecules in Vertebrate Neural Development," <i>Physiol. Rev.</i> 68:819-857, the American Physiological Society (1988)	
NPL22	Wang, K.C., et al., "Oligodendrocyte-myelin glycoprotein is a Nogo receptor ligand that inhibits neurite outgrowth," Nature 417:941-944, Nature Publishing Group (June 2002)	
NPL23	Wang, X., et al., "Localization of Nogo-A and Nogo-66 Receptor Proteins at Sites of Axon-Myelin and Synaptic Contact," J. Neurosci. 22:5505-5515, Society for Neuroscience with the assistance of Stanford University's HighWire Press <sup>TM</sup> (July 2002)	
NPL24	Wang, HY., et al., "Amyloid Peptide A $\beta_{1-42}$ Binds Selectively and with Picomolar Affinity to $\alpha$ 7 Nicotinic Acetylcholine Receptors," J. Neurochem. 75:1155-1161, Lippincott Williams & Wilkins, Inc. (2000)	
NPL25	Weidner, N., et al., "Spontaneous corticospinal axonal platsicity and functional recovery after adult central nervous system injury," Proc. Natl. Acad. Sci. USA 98:3513-3518, The National Academy of Sciences (March 2001)	
	No.¹  NPL21  NPL22  NPL23  NPL24	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume number, publisher, city and/or country where published  NPL21  Rutishauser, U. and Jessell, T.M., "Cell Adhesion Molecules in Vertebrate Neural Development," <i>Physiol. Rev.</i> 68:819-857, the American Physiological Society (1988)  Wang, K.C., et al., "Oligodendrocyte-myelin glycoprotein is a Nogo receptor ligand that inhibits neurite outgrowth," <i>Nature</i> 417:941-944, Nature Publishing Group (June 2002)  Wang, X., et al., "Localization of Nogo-A and Nogo-66 Receptor Proteins at Sites of Axon-Myelin and Synaptic Contact," <i>J. Neurosci.</i> 22:5505-5515, Society for Neuroscience with the assistance of Stanford University's HighWire Press™ (July 2002)  Wang, HY., et al., "Amyloid Peptide Aβ <sub>1-42</sub> Binds Selectively and with Picomolar Affinity to α7 Nicotinic Acetylcholine Receptors," <i>J. Neurochem.</i> 75:1155-1161, Lippincott Williams & Wilkins, Inc. (2000)  Weidner, N., et al., "Spontaneous corticospinal axonal platsicity and functional recovery after adult central nervous system injury," <i>Proc. Natl. Acad. Sci. USA</i> 98:3513-3518, The

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ı	Examiner		Date	
	Signature		Considered	

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Applicant's unique citation designation number (optional). Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Relton et al.

Appl. No.: 10/587,714 (National Phase of

PCT/US2005/002535)

Intl. Filing Date: January 28, 2005

For: Treatment of Conditions Involving

**Dopaminergic Neuronal** 

**Degeneration Using Nogo Receptor** 

Antagonists

Confirmation No.: 2306

Art Unit: To be assigned

Examiner: To be assigned

Atty. Docket: 2159.0450001/EJH/SAC

# First Supplemental Information Disclosure Statement Under 37 C.F.R. § 1.97(b)

Mail Stop Amendment

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Sir:

Listed on accompanying Forms PTO/SB/08A and PTO/SB/08B are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this First Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Information Disclosure Statement filed herewith in connection with the above-captioned application.

Copies of documents NPL26-NPL36 are submitted. However, in accordance with 37 C.F.R. § 1.98(a)(2), copies of U.S. patents and patent application publications, documents US23-US28, cited on the attached Form PTO/SB/08A are not submitted.

The Examiner's attention is directed to the following U.S. Patent Application, which is directed to related technical subject matter:

(National Phase of PCT/US2005/002535)

U.S. Patent Application No. 11/055,163, inventors Lee et al., filed February 10,

2005; published as US2005/0271655 A1, cited herein as document US28;

Where the publication date of a listed document does not provide a month of

publication, the year of publication of the listed document is sufficiently earlier than the

effective U.S. filing date and any foreign priority date so that the month of publication is

not in issue. Applicants have listed publication dates on the attached IDS Forms based

on information presently available to the undersigned. However, the listed publication

dates should not be construed as an admission that the information was actually

published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention

over any of the information provided herewith, and/or to prove that this information may

not be prior art, and/or to prove that this information may not be enabling for the

teachings purportedly offered.

This statement should not be construed as a representation that a search has been

made, or that information more material to the examination of the present patent

application does not exist. The Examiner is specifically requested not to rely solely on

the material submitted herewith.

This Information Disclosure Statement is being filed within three months of the

date of filing. No statement or fee is required.

Atty. Dkt. No. 2159.0450001/EJH/SAC

Relton *et al.*Appl. No. 10/587,714
(National Phase of PCT/US2005/002535)

It is respectfully requested that the Examiner initial and return copies of the enclosed IDS Forms, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L

Shannon A. Carroll, Ph.D.

Attorney for Applicants Registration No. 58,240

Date:

1100 New York Avenue, N.W. Washington, D.C. 20005-3934

(202) 371-2600

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Equivalent of Form PTO/SB/08A (07-05)
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Substitute That TPTO	Complete if Known		
FIRST SUPPLEMENTAL	Application Number	10/587,714 (National Phase of PCT/US2005/002535)	
INFORMATION DISCLOSURE	I.A. Filing Date	January 28, 2005	
STATEMENT BY APPLICANT	First Named Inventor	Relton, Jane K.	
(Use as many sheets as necessary)	Art Unit	To be assigned	
(	Examiner Name	To be assigned	
Sheet 1 of 1	Attorney Docket Number	2159.0450001/EJH/SAC	

			U.S. PATENT DOCUMENTS	
Examiner Initials	Cite No. <sup>1</sup>	Document Number  Number-Kind Code <sup>2 (f Known)</sup>	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
	US23	6,475,753 B1	11/05/2002	Ruben et al.
	US24	6,627,741 B2	09/30/2003	Ruben et al.
	US25	6,774,216 B2	08/10/2004	Ruben et al.
	US26	2002/0055139 A1	05/09/2002	Holtzman et al.
	US27	2005/0221420 A1	10/06/2005	Barske et al.
	US28	2005/0271655	12/08/2005	Lee et al.
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			FOREIGN PATENT DOCUMENTS	
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		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)	MM-DD-YYYY	Applicant of Cited Document				
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Examiner	Date	
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English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 'Applicant's unique citation designation number (optional). 'See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 'Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 'For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 'Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 'Applicant is to place a check mark here if English language Translation is attached.

PTO/SB/08B (07-05)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE work Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

Substitute for form	1449/PT	0		Complete if Known		
FIRST SUF	PLEM	1ENT	ΓΑL	Application Number	10/587,714 (National Phase of PCT/US2005/002535)	
INFORMA	TION	DISC	CLOSURE	I.A. Filing Date	January 28, 2005	
STATEME				First Named Inventor	Relton, Jane K.	
_			s necessary)	Art Unit	To be assigned	
·				Examiner Name	To be assigned	
Sheet	1	of	2	Attorney Docket Number	2159.0450001/ЕJH/SAC	

		NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume issue number(s), publisher, city and/or country where published	T <sup>2</sup>		
	NPL26	Fournier, A.E., et al., "Characterization of the neuronal receptor mediating Nogo-66 inhibition of axonal regeneration," J. Neurochem. 78 (Suppl. 1):105, Blackwell Publishing, Abstract No. S08-01 (September 2001)			
	NPL27	Fournier, A.E., et al., "Nogo Receptor Domain Analysis," Society for Neuroscience Abstracts 27:670, Society for Neuroscience, Abstract No. 258.3, presented at the Society for Neuroscience's 31st Annual Meeting, San Diego, CA (November 12, 2001)			
	NPL28	GrandPre, T.J., et al., "Functional Analysis of Nogo-66 and Nogo Receptor Domains," Society for Neuroscience Abstracts 27:670, Society for Neuroscience, Abstract No. 258.4, presented at the Society for Neuroscience's 31st Annual Meeting, San Diego, CA (November 12, 2001)			
	NPL29	International Search Report for International Application No. PCT/US2005/002535, European Patent Office, Netherlands, mailed October 24, 2005			
	NPL30	International Search Report for International Application No. PCT/US05/35719, ISA/US, Alexandria, VA, mailed April 13, 2006			
NPL31		International Search Report for International Application No. PCT/US2004/02702, ISA/US, Alexandria, VA, mailed April 20, 2006			
		Li, M., et al., "Effect of soluble Nogo reeceptor treatment on functional and histological outcome after spinal cord injury in the rat," Biosis Database, Accession No. PREV200400194121, Abstract No. 80.22, Presented at the 33rd Annual Meeting of the Society of Neuroscience, New Orleans, LA (November 8-12, 2003)			
	NPL33	Li, W., et al., "A Neutralizing Anti-Nogo66 Receptor Monoclonal Antibody Reverses Inhibition of Neurite Outgrowth by Central Nervous System Myelin," J. Biol. Chem. 42:43780-43788, The American Society for Biochemistry and Molecular Biology, Inc. (October 2004)			
	NPL34	Li, W., et al., "Neutralization of NGR1 May Be Sufficient to Promote Rat DRG Neurite Outgrowth in the Presence of CNS Myeline," SFN 2003 Abstract Viewer & Itinerary Planner, Program No. 678.3, Presented at the 33rd Annual Meeting of the Society of Neuroscience, New Orleans, LA (November 8-12, 2003)			

Examiner	Date	
Signature	Considered	

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and

<sup>1</sup> Applicant's unique citation designation number (optional). Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Substitute for t	form 1449/P	го		Complete if Known		
FIRST S	UPPLE	MENT	ΓΑL	Application Number	10/587,714 (National Phase of PCT/US2005/002535)	
INFORM	IATION	DISC	CLOSURE	I.A. Filing Date	January 28, 2005	
	_		PLICANT	First Named Inventor	Relton, Jane K.	
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Sheet	2	of	2	Attorney Docket Number	2159.0450001/ЕJH/SAC	

		NON PATENT LITERATURE DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume issue number(s), publisher, city and/or country where published	T <sup>2</sup>					
	NPL35	McGee, A.W. and Strittmatter, S.M., "The Nogo-66 receptor: focusing myelin inhibition of axon regeneration," <i>Trends Neurosci.</i> 26:193-198, Elsevier Science Ltd. (April 2003)						
	NPL36	Oertle, T., et al., "Nogo-A Inhibits Neurite Outgrowth and Cell Spreading with Three Discrete Regions," J. Neurosci. 23:5393-5406, Society for Neuroscience (July 2003)						
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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Relton et al.

Appl. No.: 10/587,714 (National Phase of

PCT/US2005/002535)

Intl. Filing Date: January 28, 2005

For: Treatment of Conditions Involving

Dopaminergic Neuronal

**Degeneration Using Nogo Receptor** 

Antagonists

Confirmation No.: 2306

Art Unit: To be assigned

Examiner: To be assigned

Atty. Docket: 2159.0450001/EJH/SAC

# Second Supplemental Information Disclosure Statement Under 37 C.F.R. § 1.97(b)

Mail Stop Amendment

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Sir:

Listed on accompanying Forms, PTO/SB/08A and PTO/SB/08B, are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this Second Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' First Supplemental Information Disclosure Statement filed on July 14, 2006 in connection with the above-captioned application.

Copies of documents NPL37 to NPL39 are provided. However, in accordance with 37 C.F.R. § 1.98(a)(2), copies of U.S. patents and patent application publications, documents US29-US32, cited on the attached Form PTO/SB/08A are not submitted. In addition, copies of documents NPL40 and NPL41, cited on the attached Form PTO/SB/08B are not provided in accordance with the U.S. Patent and Trademark Office

OG notice of October 19, 2004, which states: "the requirement in 37 C.F.R. § 1.98(a)(2)(iii) for a legible copy of the specification, including the claims, and drawings of each cited pending U.S. patent application (or portion of the application which caused it to be listed) is sua sponte waived where the cited pending application is stored in the USPTO's IFW system."

The Examiner's attention is directed to the following U.S. Patent Applications, which are directed to related technical subject matter:

U.S. Patent Application No. 10/567,381 inventors Lee *et al.*, cited herein as document **NPL40**, which is the U.S. national stage application of International Appl. No. PCT/US2004/002702, filed January 30, 2004, published as WO 05/016955 A2, cited as document **FP16** on the Information Disclosure Statement filed herewith.

U.S. Patent Application No. 11/055,163 inventors Lee *et al.*, filed February 10, 2005, cited herein as document **NPL41**, and published as U.S. Publ. No. 2005/0271655, cited herein as document **US32**.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached IDS Forms based on information presently available to the undersigned. However, the listed publication

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This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

This Information Disclosure Statement is being filed within three months of the date of filing. No statement or fee is required.

It is respectfully requested that the Examiner initial and return copies of the enclosed IDS Forms, and indicate in the official file wrapper of this patent application that the documents have been considered.

Relton et al. Appl. No. 10/587,714 (National Phase of PCT/US2005/002535)

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

Sterne, Kessler, Goldstein & Fox P.L.L.C.

Shannon A. Carroll, Ph.D. Attorney for Applicants Registration No. 58,240

1100 New York Avenue, N.W. Washington, D.C. 20005-3934

(202) 371-2600

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Equivalent of Form PTO/SB/08A (07-05) Approved for use through 07/31/2006.

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE use Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substit	er fact	9/PT	0		Complete	if Known
SECO	ND S	UPPL	EMEN'	TAL	Application Number	10/587,714 (National Phase of PCT/US2005/002535)
INFOR	RMA'	TION	DISCL	OSURE	Intl. Filing Date	January 28, 2005
				ICANT	First Named Inventor	Relton, Jane K.
			eets as nece		Art Unit	To be assigned
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Sheet	1	of	1		Attorney Docket Number	2159.0450001/ЕJH/SAC

			U.S. PATENT DOCUMENT	S
Examiner Initials*	Cite No.1	Document Number	Publication Date	Name of Patentee or
imuais	NO.	Number-Kind Code <sup>2 (If Known)</sup>	MM-DD-YYYY	Applicant of Cited Document
	US29	2003/0113325 A1	06/19/2003	Hu et al.
	US30	2003/0113326 A1	06/19/2003	Hu et al.
	US31	2004/0029169 A1	02/12/2004	Hu et al.
	US32	2005/0271655 A1	12/08/2005	Lee et al.
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	FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date	Name of Patentee or					
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>3</sup> (if known)	MM-DD-YYYY	Applicant of Cited Document					

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Examiner	Date	
Signature	Considered	 

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 'Applicant's unique citation designation number (optional). 'See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 'Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 'For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 'Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 'Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

PTO/SB/08B (07-06) Approved for use through 09/30/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number. Substitute for form 1449B Complete if Known Application Number 10/587,714 **SECOND SUPPLEMENTAL** January 28, 2005 Filing Date INFORMATION DISCLOSURE First Named Inventor Jane K. Relton STATEMENT BY APPLICANT Art Unit To Be Assigned (Use as many sheets as necessary) **Examiner Name** To Be Assigned 2159.0450001/ЕJH/SAC Sheet of Attorney Docket Number

		NON PATENT LITERATURE DOCUMENTS	
Examiner Cite No. 1		Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	
	NPL37	Fuxe, K. and Ungerstedt, U., "Antiparkinsonian Drugs and Doaminergic Neostriatal Mechanisms: Studies in Rats with Unilateral 6-hydroxydopamine (=6-OH-DA)-Induced Degeneration of the Nigro-Neostriatal DA Pathway and Quantitative Recording of Rotational Behaviour," <i>Pharmacol. Ther.</i> [B] 2:41-47, Pergamon Press (1976)	
	NPL38	Gill, S.S., et al., "Direct brain infusion of glial cell line-derived neurotrophic factor in Parkinson disease," <i>Nat. Med.</i> 9:589-595, 479, Nature Publishing Group (published online March 2003)	
	NPL39	Copy of International Preliminary Report on Patentability for International Patent Application No. PCT/US2005/002535, mailed May 12, 2006, European Patent Office, DE	
	NPL40	U.S. Patent Application No. 10/567,381, Lee <i>et al.</i> , which is the U.S. national stage application of International Appl. No. PCT/US2004/002702, filed January 30, 2004.	
	NPL41	U.S. Patent Application No. 11/055,163, Lee et al., filed February 10, 2005 (published as U.S. Publ. No. 2005/0271655 A1, cited herein as document US32).	
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<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and

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